

State Water Resources Control Board

December 4, 2015

(Via email and Certified Mail)

CERTIFIED MAIL
NO. 7015 0920 0001 4893 8278

Ms. Marcia Kicos
Energy Environmental Compliance Branch
Defense Logistics Agency
8725 John J. Kingman Road
Fort Belvoir, Virginia 22060
marcia.kicos@dla.mil

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT 3171 NORTH GAFFEY STREET, SAN PEDRO**

Dear Ms. Kicos:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on October 20 and 21, 2015, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and title 23, California Code of Regulations (CCR), chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Perform Secondary Containment Testing – Secondary containment testing has not been performed in the last three years.	T52	March 31, 2013	Ongoing	23 CCR 2637(a)
2	Failure to Perform Annual Monitoring Certification – Annual monitoring certification was due in February 2015.	T52	February 28, 2015	Ongoing	23 CCR 2638
3	Failure to Maintain Monitoring System – The monitoring system had been in alarm since 2011. The tank is currently in temporary closure and the monitoring system is off.	T52	December 31, 2011	Ongoing	H&SC 25291(b); 23 CCR 2630(d)
4	Failure to Report an Unauthorized Release – The groundwater monitoring release detection results indicate an unauthorized release has occurred.	T3	April 7, 2010	Ongoing	23 CCR 2650(e)(4)

No.	Violation	Tank	Start Date	Stop Date	Regulation
5	Failure to Report an Unauthorized Release – The groundwater monitoring release detection results indicate an unauthorized release has occurred.	T5	April 6, 2011	Ongoing	23 CCR 2650(e)(4)
6	Failure to Report an Unauthorized Release – The groundwater monitoring release detection results indicate an unauthorized release has occurred.	T15	June 26, 2013	Ongoing	23 CCR 2650(e)(4)
7	Failure to Report an Unauthorized Release – The groundwater monitoring release detection results indicate an unauthorized release has occurred.	T20	April 7, 2010	Ongoing	23 CCR 2650(e)(4)
8	Failure to Permanently Close an Underground Storage Tank – Tanks that have had an unauthorized release do not qualify for temporary closure until the appropriate authorized repairs have been made.	T4, T14	May 22, 2014	Ongoing	23 CCR 2670(g)
9	Failures to Monitor Tank – Monitoring wells over 400 feet down gradient from the tank do not meet the requirement of detecting an unauthorized release at the earliest possible opportunity.	T6, T11, T12, T13, T14, T19	October 20, 2015	Ongoing	23 CCR 2648(e)
10	Failure to Perform Tank Lining Inspection – Single-walled steel tanks are required to be inspected ten years after initial lining.	T42	December 31, 2007	December 31, 2011	23 CCR 2663(h)
11	Failure to Perform Tank Lining Inspection – Single-walled steel tanks are required to be inspected ten years after initial lining.	T45	December 31, 2007	December 31, 2009	23 CCR 2663(h)
12	Failure to Perform Tank Lining Inspection – Single-walled steel tanks are required to be inspected ten years after initial lining.	T43, T44, T46, T47	December 31, 2007	Ongoing	23 CCR 2663(h)
13	Failure to Perform Tank Lining Inspection – Single-walled steel tanks are required to be inspected every five years after their initial ten year inspection.	T1, T2, T4, T5, T12, T45	December 31, 2009	Ongoing	23 CCR 2663(h)

Note: The State Water Board understands that Tank 52 will be removed from the facility list of regulated tanks. If the tank was at any time a regulated tank, it is subject to 23 CCR 2672(e) and (d) prior to local agency granting exempt status.

Note: Temporary Closure permits begin to expire in May 2016. Existing USTs need to either be operational or permanently closed. Because of the magnitude of your facility, the State Water Board requests that a plan of execution be submitted to the State Water Board and Los Angeles City Fire Department **no later than January 31, 2016**.

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and County of Los Angeles City Fire Department within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Mr. Thomas Henderson
UST Enforcement Unit
State Water Resources Control Board
1001 I Street, 16th Floor
Sacramento, California 95814
tom.henderson@waterboards.ca.gov

Local CUPA

Mr. Aaron Mungaray
Fire Inspector
Los Angeles City Fire Department
200 North Main Street, Room 1700
Los Angeles California 90012
aaron.mungaray@lacity.org

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: See next page.

cc: *(via email only)*

Ms. Anna Olekszyk
Acting CUPA Manager
Los Angeles City Fire Department
anna.olekszyk@lacity.org

Captain Dan Dragotto
Los Angeles City Fire Department
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Mr. Aaron Mungaray
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